



Chesapeake Bay Program
Watershed Technical Workgroup (WTWG)
Meeting Minutes
Thursday, September 3, 2020
10:00 AM to 11:15 PM
Calendar Page: [Link](#)

Summary of Actions and Decisions

Decision: WTWG approved the August Meeting Minutes.

Action: WTWG will discuss the percentage of non-annual practices that are cut-off at the next meeting.

Action: WTWG discussed back-out and cut-off procedures and came up with the following suggestions:

1. For tree planting land use change practices, the back-out baseline = date of imagery – 5 years.
2. Stop using Ag Census to change back-out baseline. With regular updates to land cover, it is not needed.
3. Back-out baseline should be re-evaluated annually with progress so that the credit duration loss is not double discounted.
4. Cut-off practices at the LR seg should be rolled up and reapplied at the county scale.
5. County scale data should be distributed to the LRSeg proportionally to the available untreated acres.

Action: Bill Keeling will draft a document addressing VA's back-out and cut-off concerns. After these concerns are addressed at the Forestry and Agriculture Workgroup's they will be brought back to the Watershed Technical Workgroup for further discussion.

Action: Hilary Swartwood will capture the questions and comments in the Webex Chat and include them with the September WTWG meeting minutes.

Meeting Minutes

10:00 AM – **Introductions and Announcements** – Cassandra Davis, NYSDEC (30 min.)

- Approval of the August Minutes
 - **Decision:** WTWG approved the August Meeting Minutes.
- 8/31/2020 deadline for the 2020 progress scenario data prior to Dec. 1 BMP data + finalize NEIEN Appendix and DET – Olivia Devereaux, Devereux Consulting
 - NEIEN is open and you can now submit. The appendix is final. If you need success and error reports run reach out to Jess and Olivia.
 - *Bill Keeling* noted that although it seems like there is a lot of time to submit, for VA they really only have the week after Thanksgiving to get all their data submitted.
- CAST 2021 suggestions due by 9/9/2020
- Federal facility planning goals – Vanessa Van Note, EPA
 - *James Martin:* Federal Planning Goals- to what end?

- *Vanessa Van Note*: I am not sure I know originally that this was to keep track of how the federal facilities are meeting these goals.
- *Kevin DuBois*: What about federal planning goals do the agencies not agree with?
- *Vanessa Van Note*: for certain agencies there have not been federal planning goals assigned. Olivia, do you have more information?
- *Olivia Devereux*: I don't have that information, but we should reach out to Greg Allen to get that information.
- *Jeff Sweeney*: If you have federal planning goals and you use CAST 17 or 19 all you need to demonstrate is that it's equitable between the federal facilities and states.
- *Olivia Devereux*: A lot of what Brown and Caldwell is doing is assessing Federal Facilities progress to date.
- *Matt English*: Is there a specific person at Brown and Caldwell we could get our federal facilities in contact with, so they know this resource is available?
- *Olivia Devereux*: yes, see below:
 - Stephanie MacDurmon: smacdurmon@brwncald.com
 - Stephanie Hanses: shanses@brwncald.com
 - Greg Allen: allen.greg@epa.gov
- BMP Verification Ad- Hoc Action Team – update Vanessa Van Note, EPA
 - Chair will be announced at October meeting
 - List of concerns regarding credit duration and partial/ variable credit were solicited from jurisdictions and will be presented at September meeting.
- Member and participant announcements
 - None at this time

10:30 AM – Overview of Back-out and Cut-off Procedures – Jeff Sweeney, EPA (30 min.)

Jeff will give an overview of back-out and cut-off procedures to the WTWG.

Cut- off Discussion:

James Martin: You effectively reduce the % excess by including annual practices in the count. What % of non-annual practices are cut- off?

Jeff Sweeney: I don't have that information off the top of my head, but you can calculate that easily.

Bill Keeling: The states are probably reporting numbers correctly, but CBP needs to address that methodology because of inaccuracies in the ag census. In VA there are instances where we know how many animals there are but then we see discrepancies with NAS. So maybe we need to examine that methodology and see why this occurs.

Olivia Devereux: We used Bill's data to see where the animals are located.

Loretta Collins: Bill, I would love to talk to you more about your data. There were a lot of concerns expressed at the AgWG, but we don't have anything tangible to talk about expect an understanding that the NAS data is wrong. If you have data and you want to talk about it, I would love to have this come before the AgWG.

Jeff Sweeney: Bill if you could send an email to myself and Hilary that you want to address this in the model that would be great.

Bill Keeling: The problem is that not every state has the same level of data. So, I think we should work with NAS to help mitigate discrepancies in future data.

Loretta Collins: If we could have better NAS data that would be really helpful.

Bill Keeling: For the state who have permitting authority and have data, sharing the list of permitted farms in a county with NAS could be helpful to them to make sure they are contacting the right farmers in the counties that could make a difference. In my discussion with VA NAS, they were interested in comparing their permitted farmers list with ours. They also get information from integrators. The states also need to work with industry types so that NAS has as much information as possible when they are doing their data calls.

Cassie Davis: Is the cut-off applied at the land/ river segment?

Jeff Sweeney: It depends on how you submit it. If you are submitting at a county level it will look at the whole county and will cut off land river segments if your submission is large than what's in the county.

Cassie Davis: if it was too high in a county scale would it apply to other counties or go away?

Jeff Sweeney: It would go away. If you see excess, then that means that bmp has saturated whatever that column is (in NEIEN).

Jason Keppler: When you talk about cut-off is it each BMP or the sum of all the BMPs?

Jeff Sweeney: It's the latter, Jason.

Jason Keppler: The reason I ask is you may have more than one BMP crediting reductions.

James Martin: The theory of over-reporting being the source of cutoff was valid pre-verification. Now, in a world where BMPs have credit duration and verification, over-reporting is not the problem.

Lisa Beatty: I think it would be wise for CBP to run the percentages for each jurisdiction without animal practices so they can view the overall picture of this issue.

Jeff Sweeney: In the future we are going to get another point from the high-resolution land cover that will be more accurate. When we introduce the high-resolution land cover, we will fit Ag into whatever is left- I think it could help big picture.

Matt English: I wonder if anyone on the call has any thoughts on what we could do in DC in the arboretum because we are losing acreage on that BMP. The land outside of the BMP is non-federal.

Jeff Sweeney: You could take that out and make sure that it could be submitted for DC.

Ted Tesler: I think it could be submitted as two records.

Back-out Discussion:

Jason Keppler: Is there any upland benefit attributed to a natural forest buffer adjacent to cropland?

James Martin: Good question; my understanding is that we cannot currently count those.

Olivia Devereux: Jason, yes for forest buffer. No for forest buffer with livestock exclusion. The livestock exclusion buffer is only applied to pasture. There is no backout applied to the efficiency portion of load source change BMPs. If you are referring to an existing forest, then it is not a BMP, simply an existing land use.

Jason Keppler: Thanks Olivia, in theory wouldn't an existing forest function identically to a riparian forest buffer that has been "backed-out"?

Ted Tesler: Also, animal system?

Olivia Devereux: Jason, that is more a question for the expert panel. Apparently, a designed wooded area function differently. It may also be a difference in width. We are also measuring change. An existing forest is not a change.

Jeff Sweeney: I imagine that states health departments would have data on septic systems that would include commercial buildings.

Bill Keeling: We gave it to Peter, but he didn't know what to do with it since he didn't have consistent methodology across jurisdictions.

Norm Goulet: I will step in here and say that we could spend a lot of time talking about septic. The use of population and zoning is also part of it. We are also getting more septic due to dense housing. I would argue we should stop projecting septic and get more specific information/ data instead.

Jeff Sweeney: This would be something for the WWTWG perhaps.

Norm Goulet: the WWTWG actually doesn't do anything with septic. It's this black hole with little data.

Olivia Devereux: The land use WG deals with this primarily.

Norm Goulet: It is calculated as one system. Septic BMPs, once connected, have a 100-year credit duration.

James Martin: In 2013 you established the number of acres for the BMPs and that becomes the baseline for back-out. If some of that historical verification goes unverified and is dropped out of reporting due to credit duration do you still the same number? So, if your number of acres in 2013 was 100 acres but then 50 acres drop out over time because of verification are still backing out 100 or backing out 50?

Jeff Sweeney: It is going to do the verification part first and whatever is left is considered the baseline.

Olivia Devereux: The expiration date/ inspection date is done in NEIEN the back-out date is done in CAST. It is 100 acres; we do not look at the credit duration.

James Martin: so, what that does is double discount the credit duration.

Olivia Devereux: The credit duration would say that it is no longer there or it wasn't inspected. However, it was there in 2012. That is why we don't look at the expiration date because in 2012 it was actually there.

James Martin: so, when you take it from the reporting record maybe what we should do is recalculate the baseline each year based on the practices that have been discounted due to credit duration.

Jeff Sweeney: We will bring this up to Jess once she gets back from vacation.

Loretta Collins: is this all related to the tree oriented BMPs? From my understanding the tree oriented BMPs are the one tangible things in the verification ad-hoc group that we can discuss and flush out.

Jeff Sweeney: It's all the land-use change BMPs. This goes back to the relationship between loss and back-out. We can come back to you with this after we talk to Jess.

Bill Keeling: Anytime we are seeing these 57/40/20% issues then maybe EPA should consider it's a process issues and not necessarily a problem with the states reporting.

Jeff Sweeney: So, this would be a partnership issue and you would need to go to the specific WG. Back- out is not something the Forestry WG understands again.

Lisa Beatty: I just want to be clear what group is coordinating all of this- it seems like there needs to be a central point of collaboration.

Vanessa Van Note: The ad-hoc group was directly charged with dealing with some of these issues. So, it would be funneled through us to the WQGIT.

Jeff Sweeney: If Bill's concerns are mostly Ag and Forestry WG then it would go to one of those WGs. WTWG was charged with looking at Back-out and cut- off procedures, which we just did.

Alana Hartman: My final concern about the sub vs. credited report is the column labeled "total amount credited." I think it might need a little more clarification in the ReadMe tab, given what we learned today.

Bill Keeling: I think these issues need to come back to the WTWG after going to the Ag and Forestry WG. I will put together a document

Jeff Sweeney: Should we put this on the agenda for October or November?

Bill Keeling: I can't guarantee that I will have that done by November as reporting to NEIEN comes first.

James Martin: Recommendations:

1. For tree planting land use change practices, the back-out baseline = date of imagery – 5 years.
2. Stop using Ag Census to change back- out baseline. With regular updates to land cover, it is not needed.
3. Back-out baseline should be re-evaluated annually with progress so that the credit duration loss is not double discounted.
4. Cut- off practices at the LR seg should be rolled up and reapplied at the county scale.
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Olivia Devereux: All BMP records are broken down to LRSeg and summed. An alternative would be to establish an order to geographic types.

Lisa Beatty: Who is going to lead the issue of back- out and cut- off which, as you can hear, is a very important issue? Is CBPO going to address the issue for cut-off and back out in the WTWG for CAST 2021 for at least priority BMPs?

Jeff Sweeney: The WTWG is going to lead this issue. And if someone wants to propose a change to cut-off and back-out for CAST 2021 that would be greatly appreciated.

James Martin: I kind of addressed it in one of the recommendations. I can't imagine that over-reporting is as huge a problem as maybe we think it is.

Jeff Sweeney: It is a lot different than Phase 5. Everyone advised their BMP history for Phase 6 so the numbers are a lot different than they were in Phase 5.

Lisa Beatty: Could we relate James' recommendations to pounds lost for nitrogen, phosphorous and sediment instead of %? It would be good for the workgroup to see the pounds lost for different animals.

James Martin: I think that's a really good ask. I think that number resonates more because that is a lot of acres and what does that mean in terms of load.

Jeff Sweeney: So, this is kind of the reason we have CAST online is because this allows jurisdictions to do these calculations ourselves.

Olivia: I am not sure what exactly the analyses you are asking for Lisa.

Lisa: It was a question James asked at 10:30 AM: You effectively reduce the % excess by including annual practices in the count. What % of non-annual practices are cut- off?

Jeff Sweeney: Hilary, can you make sure that the questions in the Chat are captured.

Hilary Swartwood: Yes, I will make sure to save the chat messages.

Cassie Davis: We will have this discussion be the main agenda topic for the next meeting.

Action: WTWG will discuss the percentage of non-annual practices that are cut- off at the next meeting.

Action: WTWG discussed back-out and cut-off procedures and came up with the following suggestions:

6. For tree planting land use change practices, the back-out baseline = date of imagery – 5 years.
7. Stop using Ag Census to change back- out baseline. With regular updates to land cover, it is not needed.
8. Back-out baseline should be re-evaluated annually with progress so that the credit duration loss is not double discounted.
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Action: Hilary Swartwood will capture the questions and comments in the Webex Chat and include them with the September WTWG meeting minutes.

11:00 AM – Schedule for TMDL-Related Scenarios – Jeff Sweeney, EPA (15 min.)

Jeff will provide an update on the 2020 Progress scenario schedule and other model-related tasks.

Discussion:

Bill Keeling: It's hard for VA to get everything submitted by December 1, 2020.

Jeff Sweeney: have you thought about moving the cycles of your reporting? If you are year off with reporting BMP data. As long as you are only reporting annual data that is the most important part.

Bill Keeling: There are certain things that are required by VA so we can't always do that. This is why it is hard for us to get everything submitted by December 1, 2020.

11:15 PM – Meeting Adjourn

Next Meeting: October 1, 2020 from 10:00- 12:00 PM

Call Participants

Hilary Swartwood, CRC

Jeff Sweeney, EPA

Cassie Davis, NYSDEC

Vanessa Van Note, EPA

Olivia Devereux, Devereux Consulting

Bill Stack, CWP

Emily Dekar, USC

Jessica Rodriguez, DoD

Alana Hartman, WV DEP

Arianna Johns, VA DEQ

Clare Sevcik, DNREC

Loretta Collins, UMD

Kevin DuBois, DoD

Norm Goulet, NOVA

Ruth Cassilly, UMD

Dave Montali, Tetra Tech (WV)

Elizabeth Hoffman, MDA

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